



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

TESTA, HURWITZ, & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MASSACHUSETTS 02110

COPY MAILED

AUG 03 2004

OFFICE OF PETITIONS

In re Application of	:	
Horvath, et al.	:	
Application No. 10/705,446	:	ON PETITION
Filed: November 10, 2003	:	
Attorney Docket No. UDL-004D2	:	

This is a decision on the petition filed July 2, 2004, requesting that the above-identified application be accorded a filing date of November 10, 2003, including page 104 of the specification.

The application was submitted on November 10, 2003. However, on May 13, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice" that stated the application had been accorded a filing date, and that page 104 of the specification appears to have been omitted.

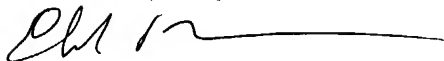
In response, on July 2, 2004, the present petition was filed wherein petitioner argues page 104 of the specification was filed on November 10, 2003. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of one hundred four (104) pages of specification. A review of the application file indicates the presence of one hundred three (103) pages of specification. It is assumed that missing page (page 104) of specification was misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee will be refunded to deposit account no. 20-0531.

This application will be returned to OIPE for review of the "Response to Notice To Comply," submitted July 2, 2004, and for further processing with a filing date of November 10, 2003, using the copy of page 104 of the specification, supplied on July 2, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

A handwritten signature in dark ink, appearing to read 'EJ Tannouse', followed by a horizontal line.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office